

329 ✓

CITY COUNCIL  
ADJOURNED CITY COUNCIL MEETING.  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, FEBRUARY 14, 1995  
7:00 A.M.

1. ROLL CALL

Present: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Engineer Prima, Assistant Planner Veerkamp, Associate Civil Engineer Welch, Revenue Manager Cadwallader, City Attorney McNatt and Acting City Clerk Taylor

2. PUBLIC HEARINGS

- a) Continued Public Hearing from Regular Council Meeting of February 1, 1995 to consider letter from Baumbach & Piazza appealing the Planning Commission's decision to require an eight to ten foot right-of-way dedication for landscaping purposes outside the proposed reverse frontage wall along Turner Road and the formation of a Lighting and Landscaping Assessment District, all at the developer's expense, in the Towne Ranch Development, Phase 5, and possible adoption of a resolution approving the installation of "No Parking" zones on Turner Road west of Lower Sacramento Road and Woodhaven.

(Due to a conflict of interest, Mayor Mann abstained from discussion and voting on the following matter. Mayor Pro Tempore Warner served as Mayor during this matter.)

At the direction of Council during the February 1, 1995 public hearing, staff worked with developers on alternatives, costs, and a compromise solution. A staff report was presented by City Engineer Prima outlining four separate options for Council consideration:

- Option A - Landscape Easement with Trees per Recent Practice
- Option B - Reduced Street, Narrow Landscape Strip and Easement with Trees
- Option C - Reduced Street, Medium Landscape Strip with Trees
- Option D - Reduced Street, 10-Foot Landscape Strip with Trees

Hearing Open to the Public

Steven Pechin, Baumbach and Piazza, 323 West Elm Street, Lodi, speaking on behalf of Towne Ranch Associates, spoke in support of "Option A". Mr. Pechin further indicated his support for "Option C" as an alternate plan and a reasonable compromise solution.

Dennis Bennett, 777 S. Ham Lane, Lodi, spoke in support "Option A," but stated he could live with supporting "Option B" or "Option C" as a compromise solution.

Public Portion of Hearing Closed

**ACTION:**

The City Council, on motion of Member Sieglock, Warner second, adopted Resolution #95-18 approving parking restrictions on Turner Road West of Lower Sacramento Road/Woodhaven Lane, and granted the appeal referred to as "Option C" with the following modifications to the conditions placed on the tentative map by the Planning Commission: no additional easement behind fence will be required; the City will not pay for right of way; the developer will pay the tree planting fee and fence maintenance fee under "Option A"; and the City will pay for the balance of the landscaping and the landscape maintenance. Further, Council finds that financial hardship to the proponent, based on the loss of the square footage and the impact on its potential sales price of the lots, and finds that the offset of the City's relinquishing of the tentative map's ten foot right of way requirement for landscaping against the three feet of additional right of way that's required under "Option C" outside the fence negates the need for further compensation to the developer.

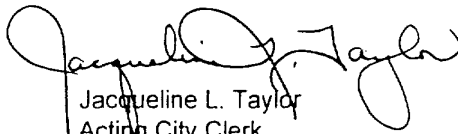
Ayes: Council Members - Davenport, Pennino, Sieglock and Warner  
Noes: Council Members - None  
Absent: Council Members - None  
Abstain: Council Members - Mann (Mayor)

FILE NO. CC-6, CC-53(b) and CC-300

3. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 8:01 a.m..

ATTEST:

  
Jacqueline L. Taylor  
Acting City Clerk